

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELISSA STRAWDER-MCCURRY,

Plaintiff(s),

vs.

WAL-MART STORES, INC., et al.,

Defendant(s).

Case No. 2:13-cv-00618-JCM-NJK

ORDER DENYING PROPOSED
DISCOVERY PLAN (Docket No. 9)

Pending before the Court is the Proposed Discovery Plan and Scheduling Order, Docket No. 9, which is hereby **DENIED**. The proposed discovery plan is deficient in a number of respects. First, the Local Rules require proposed discovery plans to “state the date the first defendant answered or otherwise appeared.” Local Rule 26-1(e)(1). The submitted discovery plan fails to do so.¹ Second, the presumptive discovery period is 180 days from the date the first defendant answers or appears. Local Rule 26-1(e)(1). The proposed plan seeks 233 days for discovery, but the parties provide no explanation why extended discovery is needed as required. *See* Local Rule 26-1(d) (requiring “a statement of the reasons why longer or different periods should apply to the case”). Third, a proposed discovery plan seeking deadlines beyond those outlined in the Local Rules must “state on its face “SPECIAL SCHEDULING REVIEW REQUESTED.” Local Rule 26-1(d). The

¹ From the Court’s review of the docket, Defendant answered on April 10, 2013. Docket No. 2.

1 submitted discovery plan fails to do so. Fourth, requests for extending discovery deadlines must be
2 filed no later than 21 days before the subject deadline sought to be extended. *See* Local Rule 26-4.
3 The submitted discovery plan misstates Local Rule 26-4.

4 Accordingly, the proposed discovery plan is **DENIED**. The parties are ordered, no later than
5 June 10, 2013, to file another proposed discovery plan that complies with the Local Rules.

6 In addition to the violations of the Local Rules outlined above, the parties also failed to
7 submit the proposed discovery plan by the deadline to do so. *See* Docket No. 8 (order to show cause
8 regarding failure to file proposed discovery plan).² The Court expects strict compliance with the
9 Local Rules and reminds the parties that failure to comply with the Local Rules may result in
10 sanctions. Local Rule IA 4-1.

11 IT IS SO ORDERED.

12 DATED: June 6, 2013

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NANCY J. KOPPE
United States Magistrate Judge
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26 ² Further, the parties held the Rule 26(f) conference on May 21, 2013, *see* Docket No. 9 at 1,
27 which was also untimely.